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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Masakazu FUNAHASHI et al.

Serial No. 09/943,578

Group Art Unit: 1774

Filed: August 31, 2001

Examiner: Camie S. Thompson

For: NOVEL STYRYL COMPOUND AND ORGANIC ELECTROLUMINESCENCE DEVICE

TERMINAL DISCLAIMER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Your petitioner, Idemitsu Kosan Co., Ltd., a corporation residing at 1-1, Marunouchi 3-Chome Chiyoda-ku, Tokyo, JAPAN, represents that it is the sole assignee of the entire right, title and interest in U.S. Patent Application Serial No. 09/943,578, filed August 31, 2001, as evidenced by an assignment from the inventors of the above-identified patent application. That assignment document (copy attached) was recorded in the USPTO on February 5, 2002, at Reel 012796, Frames 0785. Your petitioner, Idemitsu Kosan Co., Ltd., hereby disclaims the terminal part of any patent granted on the above-identified application, which would

extend beyond the expiration date of petitioner's commonly owned U.S. Patent 6,534,199, sole ownership of which by petitioner, as evidenced by assignment recorded in the USPTO on February 5, 2002, at Reel 012796, Frame 0785, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6,534,199, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner


terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

December 9, 2003  
Date

By:   
Charles A Wendel  
Registration No. 24,453  
Attorney of Record for Assignee